

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

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June 25, 2008

Hon. Colleen McMahon
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 640
New York, NY 10007

MEMO ENDORSED

Re: **Christian Stokes v. Ronald Lusker, et.al.**
Index no. 08 Civ. 3667 (CM) (DFE)

6/26/08
Jewell C

Dear Judge McMahon:

We are counsel for defendants Ebert & Associates and Steven Ebert, Esq. (the "Ebert Defendants").

Further to my telephone call with your law clerk, Karen Lerner, yesterday afternoon, I am writing to notify the Court of the following: with plaintiff's counsel's consent, we attempted to file the attached letter motion with the Court, yesterday, pursuant to Your Honor's Individual Practice Rules. The letter motion seeks an extension of time for the Ebert Defendants to respond to the Complaint in this action.

We inadvertently uploaded this request via ECF instead of sending it directly to Your Honor. As such, we attach our letter of June 24, 2008 hereto, and respectfully request that Your Honor grant the short adjournment, permitting the extension of time to and including July 11, 2008. Please note this is our first request for an extension of time and the adjournment should not delay this case.

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

Lauren J. Rockin
Lauren J. Rockin, Esq.

Attachment

See attached cc list

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/30/08

Index No.: 08 Civ. 3667 (CM) (DFE)

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cc: **VIA FACSIMILE**

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VIA U.S. MAIL

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Defendant

85-87 Merer Street Associates Inc.
85-87 Merer Street
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Defendant

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June 24, 2008

Hon. Colleen McMahon
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 640
New York, NY 10007

Re: Christian Stokes v. Ronald Lusker, et.al.
Index no. 08 Civ. 3667 (CM) (DFE)

Dear Judge McMahon:

We are counsel for defendants Ebert & Associates and Steven Ebert, Esq. (the "Ebert Defendants").

We are writing with the consent of plaintiff's counsel to request an extension of time for the Ebert defendants to submit an answer or otherwise move to dismiss the Complaint pursuant to the Federal Rules of Procedure. Pursuant to this Honorable Court's Individual Practice Rules, we submit the following:

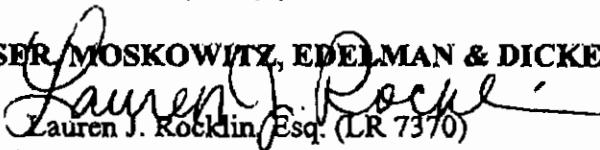
1. Following return of the Rule 4 Waiver, the original date to answer or otherwise move is June 24, 2008;
2. No prior requests for an adjournment or extension have been made; this is our first request for an extension;
3. Plaintiff's counsel consents to the extension of time;
4. This request may affect the initial conference set by the Court and scheduled for July 11, 2008.

Therefore, with the Court's permission we request that time be extended to and including July 11, 2008.

Thank you for your consideration of this matter.

Very truly yours,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP


Lauren J. Rocklin, Esq. (LR 7370)

SEE ATTACHED SERVICE LIST

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